

13
ENTERED ON DOCKET
R. 79 (a)

SEP 03 2004

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

POLLY EUBANKS,

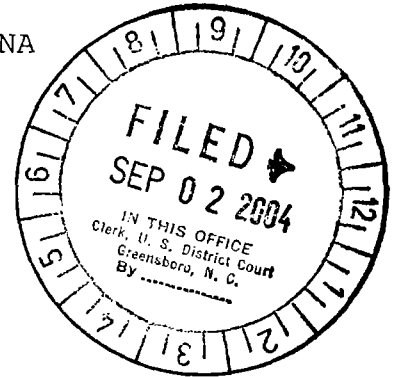
Plaintiff,

v.

PRUDENTIAL INSURANCE COMPANY
OF AMERICA,

Defendant.

1:03CV00777



J U D G M E N T

OSTEEN, District Judge

For the reasons set forth in the memorandum opinion entered contemporaneously herewith,

IT IS ORDERED that Plaintiff's Motion to Remand [8] is DENIED.

IT IS ORDERED that Plaintiff's Motion to Consider Plaintiff's Motion for Summary Judgment and Brief as Opposition to Defendant's Motion for Summary Judgment [37] is GRANTED.

IT IS ORDERED AND ADJUDGED that Defendant's Motion for Summary Judgment [22] is GRANTED. IT IS ORDERED that Plaintiff's Motion for Summary Judgment [26] is DENIED.

This the 2nd of ^{September}~~August~~ 2004.


United States District Judge